

EXHIBIT 1

DECLARATION OF JAMES R. TEUSCHL

1. I am a Special Agent with the United States Secret Service, and I have been so employed since September 2000. I have received training on conducting investigations involving violations of federal law, to include money laundering, theft of government funds, and wire fraud. I am currently assigned to the United States Secret Service Cincinnati Field Office and have been assigned to participate in various investigations involving violations of federal law. Prior to my employment with the United States Secret Service, I was employed as a State of Ohio Parole Officer.

2. I am a member of the Southern District of Ohio Financial Crimes Task Force (“SDOHTF”), participating in an ongoing criminal investigation conducted by the United States Secret Service (“USSS”), the United States Department of Agriculture - Office of the Inspector General (“USDA-OIG”), and the Ohio Department of Public Safety - Investigative Unit (“ODPS-IU”). The food stamp fraud scheme detailed throughout this declaration occurred in the Southern District of Ohio, and the point of sale terminal used belongs to BUSCH’S COUNTRY CORNER, 1801 West Elder Street, Cincinnati, Ohio 45201. Based on the investigation, I assert that there is probable cause to believe that MICHAEL D. BUSCH, as the co-owner, manager and/or agent of BUSCH’S COUNTRY CORNER INC; AMANDA J. BUSCH, as the co-owner, manager and/or agent of BUSCH’S COUNTRY CORNER INC; RANDALL S. BUSCH, as employee of BUSCH’S COUNTRY CORNER INC; and BUSCH’S COUNTRY CORNER INC, located at 1801 West Elder Street, Cincinnati, Ohio 45201, engaged in an unlawful food stamp fraud scheme by exchanging cash for SNAP benefits.

3. Because this declaration is offered for the limited purpose of establishing

probable cause to support the Complaint for Forfeiture *in rem*, it does not set forth all facts known to this investigation. Unless otherwise stated, the information set forth below is based on my personal knowledge or that of other knowledgeable law enforcement officers participating in this investigation, undercover operations, surveillance, and/or the review of various documents and records as more particularly described herein.

4. I make this declaration to support the forfeiture of the following property (the “subject property”):

- a. One Hundred Ninety-One Thousand, One Hundred Thirty-Five Dollars in United States Currency (\$191,135.00) (Defendant 1);
- b. Eight Hundred Eleven Dollars in United States Currency (\$811.00) (Defendant 2);
- c. Contents of MainSource Bank, Division of First Financial Bank, Account Number xx9510 in the Name of Busch’s Country Corner Inc or Cheryl Busch or Amanda Busch (Defendant 3);
- d. Contents of MainSource Bank, Division of First Financial Bank, Account Number xxx7566 in the Name of Amanda Busch (Defendant 4);
- e. Contents of MainSource Bank, Division of First Financial Bank, Account Number xx9405 in the Name of Amanda Busch or Mike Busch (Defendant 5);
- f. One 2016 Dodge Charger, VIN 2C3CDXHG6GH214657, with all attachments thereon (Defendant 6);
- g. One 2015 KTM 85 Moto Cross, VIN VBKMXC235FM011064, with all attachments thereon (Defendant 7);
- h. One 2014 MAZDA 3, VIN JM1BM1U79E1167923, with all attachments thereon (Defendant 8);
- i. One 2013 GMC Denali, VIN 1GT125E81DF179761, with all attachments thereon (Defendant 9); and
- j. One 2012 Nissan Murano, VIN JN8AZ1MW4CW210167, with all attachments thereon (Defendant 10).

5. The subject property is forfeitable under:
 - a. 7 U.S.C. § 2024(e) as moneys or things of value that were furnished in exchange for SNAP benefits, or anything of value obtained by use of an access device, in violation of 7 U.S.C. § 2024(b);
 - b. 18 U.S.C. § 981(a)(1)(C) as property which constitutes or is derived from proceeds traceable to specified unlawful activity, or a conspiracy to commit such offense, which specified unlawful activity includes: wire fraud in violation of 18 U.S.C. § 1343 and a conspiracy to commit such offense in violation of 18 U.S.C. § 1349 and SNAP fraud in violation 7 U.S.C. § 2024(b) and a conspiracy to commit such offense in violation of 18 U.S.C. § 371; and
 - c. 18 U.S.C. § 981(a)(1)(A) as property involved in or traceable to property involved in money laundering in violation of 18 U.S.C. § 1956(a)(1)(A)(i) with respect to the MainSource Bank Account Number xx9510 and GMC Denali and in violation of 18 U.S.C. § 1957 with respect to the MainSource Bank Account Number xx9405, Dodge Charger, Mazda 3, and Nissan Murano.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM BACKGROUND

6. The Supplemental Nutrition Assistance Program (“SNAP”), formerly known as the Food Stamp Program, is a federally funded governmental program administered by the United States Department of Agriculture (“USDA”), Food and Nutrition Service (“FNS”), and various state agencies. In Ohio, the program is administered by the Ohio Department of Job and Family Services (“ODJFS”). SNAP benefits are similar to United States currency in that SNAP recipients can purchase food from authorized retailers at the face value of the food stamp benefit.

7. In 2001, FNS changed the format of SNAP benefits from a traditional paper coupon system to an Electronic Benefit Transfer (“EBT”) card system.

8. In 2006, ODJFS converted its existing off-line SNAP system to an on-line card system (magnetic card). The on-line system relied upon existing card technology developed by commercial financial institutions and credit card companies. Each authorized food stamp recipient is issued an Ohio Direction Electronic Benefits Transfer card that contains a unique

account number and an encrypted personal identification number (“PIN”).

9. SNAP purchases may only occur at stores authorized by FNS. Stores approved by FNS to participate in the SNAP Program are issued a SNAP authorization number. The system calculates cumulative SNAP sales for each retailer and authorizes electronic payments into the retailer’s bank account.

10. In order to access the electronic SNAP funds tied to the EBT card, authorized vendors are provided a point of sale (“POS”) device. The POS device electronically communicates with a central database to debit the recipients’ available SNAP balances for the equivalent cash value of eligible food items purchased.

11. This central database is administered by Xerox Total Solutions and is physically located in Austin, Texas.

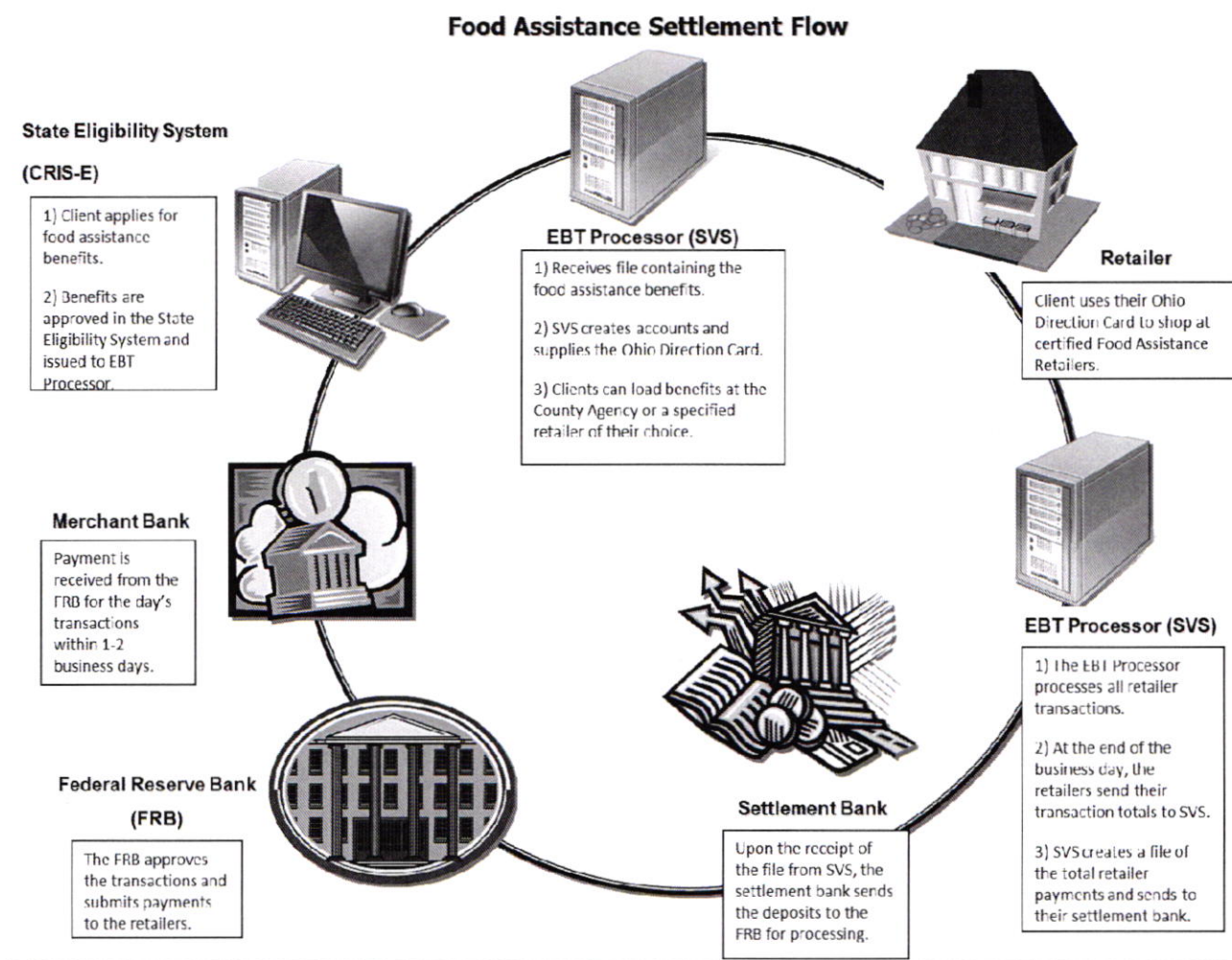
12. At an authorized vendor, the recipient swipes the card through the POS device and enters a PIN. The POS terminal thereby communicates with a central database that maintains the recipient’s current account balance information. The central database verifies the amount of available benefits, authorizes the transaction, and deducts the purchase amount from the recipient’s available balance. The system also calculates cumulative SNAP sales for each retailer and authorizes electronic payments to the retailer’s bank account.

13. Pursuant to the Food and Nutrition Act, authorized recipients may exchange SNAP benefits only for eligible food items. Authorized stores may only accept SNAP benefits for sales of eligible food items. SNAP benefits cannot be exchanged or redeemed for cash or ineligible items. An authorized user of an EBT card who sells their EBT benefits for cash, usually at 50 cents on the dollar, can be banned for life from the use of EBT benefits depending on the amount of benefits sold illegally.

14. Ineligible items under the SNAP, include but are not limited to: alcoholic beverages, tobacco products, vitamins, medicine, pet foods, cleaning products, and cash.

THE EBT PAYMENT SYSTEM

15. The following flow chart demonstrates the way EBT payments are processed once an EBT transaction has occurred.



16. It takes approximately 1-2 business days for reconciliation with the business bank account of choice before the seller receives the funds from a completed EBT transaction.

FACTS SUPPORTING PROBABLE CAUSE

17. BUSCH'S COUNTRY CORNER is a state licensed food retailer, which has been

approved to accept SNAP EBT cards as payment for government/state approved food purchases.

18. On or about December 26, 1996, MICHAEL BUSCH prepared and submitted BUSCH'S COUNTRY CORNER's initial "Food Stamp Program Application for Stores." In this application, MICHAEL BUSCH stated to the FNS that the business would start under his ownership on or about January 15, 1997. MICHAEL BUSCH marked the business as a "Specialty Food (SF)" store and further listed himself under the Store Manager Identification portion of this application as the "individual with primary on-site responsibility for daily operations of the business." MICHAEL BUSCH estimated annual retail sales of BUSCH'S COUNTRY CORNER as \$154,774.00 and lastly printed and signed the signature portion of this application, listing himself as "Senior Partner."

19. On or about January 17, 1997, FNS approved BUSCH'S COUNTRY CORNER's "Food Stamp Program Application for Stores" and assigned it with vendor authorization number 2621371. During the initial authorization process, the FNS officials conducted an on-site visit to the BUSCH'S COUNTRY CORNER business premises. During this visit, FNS officials provided MICHAEL BUSCH with a detailed briefing that outlined all relevant SNAP rules, regulations, procedures, and policies. FNS officials additionally provided MICHAEL BUSCH with an assortment of printed SNAP training manuals, thereby ensuring BUSCH'S COUNTRY CORNER's full compliance with all SNAP rules and requirements.

20. On or about June 19, 2000, MICHAEL BUSCH prepared and submitted a "Food Stamp Program Application for Stores-Reauthorization." In this application, both MICHAEL BUSCH and wife AMANDA BUSCH were listed as owners of BUSCH'S COUNTRY CORNER. MICHAEL BUSCH reported the annual retail sales of BUSCH'S COUNTRY CORNER for the 1999 tax year as \$198,372.00 and lastly printed and signed his name in the

signature portion of this reauthorization application, listing himself as the business owner. During the re-authorization process, the FNS officials conducted an on-site visit to the BUSCH'S COUNTRY CORNER's business premises and again provided MICHAEL BUSCH with a briefing that outlined all relevant SNAP rules, regulations, procedures, and policies. FNS officials additionally provided MICHAEL BUSCH with an assortment of printed SNAP training manuals, thereby ensuring BUSCH'S COUNTRY CORNER's full compliance with all SNAP rules and requirements.

21. On or about May 12, 2004, and February 27, 2008, BUSCH'S COUNTRY CORNER was reauthorized as a "Specialty Food (SF)" store by FNS officials via telephone, and the customary store reauthorization visits were waived. This was due in part to the BUSCH'S COUNTRY CORNER file history and market location indicating "store is located in Findlay Market, which sells meat products only; store clearly meets criteria, reauthorize via phone."

22. On or about April 29, 2008, MICHAEL BUSCH prepared and submitted a "Food Stamp Program Application for Stores." In this application, MICHAEL BUSCH marked the business as a "butcher shop" listing himself as the owner of the business and claimed ownership under a "Sole Proprietorship." At this time, he reported the annual retail sales of the business to be \$491,521.00, and lastly printed and signed his name in the signature portion of this application.

23. According to filings maintained by the Office of the Ohio Secretary of State, on March 7, 2011, BUSCH'S COUNTRY CORNER filed for Initial Articles of Incorporation. In this filing, AMANDA BUSCH is listed as BUSCH'S COUNTRY CORNER's statutory agent.

24. On or about April 1, 2011, FNS officials conducted an on-site visit to the BUSCH'S COUNTRY CORNER's business premises. During this visit, FNS officials provided

MICHAEL BUSCH with a detailed briefing, to include USDA FNS website links that outline all relevant SNAP rules, regulations, procedures, and policies, thereby ensuring BUSCH'S COUNTRY CORNER's full compliance with all SNAP rules and requirements.

25. On or about April 28, 2011, MICHAEL BUSCH prepared and submitted a "Supplemental Nutrition Assistance Program Application for Stores." In this application, MICHAEL BUSCH marked the business as a "Meat/Poultry Market," listing both he and AMANDA BUSCH as owners of the business. BUSCH'S COUNTRY CORNER was listed as a "Privately Held Corporation" with the actual 2010 sales listed as \$1,196,079.00, and lastly, MICHAEL BUSCH printed and signed his name in the signature portion of this application.

26. On or about March 26, 2017, AMANDA BUSCH prepared and submitted a "Supplemental Nutrition Assistance Program Reauthorization Application for Stores." In this application, both MICHAEL BUSCH and AMANDA BUSCH are listed as the owners of the business and provided the total retail sales for 2016 to be \$1,404,474.00. AMANDA BUSCH provided her information in the signature portion of the reauthorization application and listed herself as "Owner" under the Business Title.

27. By completing the "USDA-SNAP Application for Stores" and Reauthorization Applications, both MICHAEL BUSCH and AMANDA BUSCH certified the accuracy of all the information contained in the applications. As BUSCH'S COUNTRY CORNER owners, they further agreed to be held personally liable for any and all future illegal and/or fraudulent SNAP-related business activities committed by any BUSCH'S COUNTRY CORNER employee or representative.

28. On or about April 29, 2010, "AJ BUSCH" completed and signed a merchant processing application and agreement with Omega Processing Solutions, LLC. With this

document, BUSCH'S COUNTRY CORNER sought authorization to process its EBT SNAP and credit card transactions with that firm. On this form, AMANDA BUSCH listed the business as a sole proprietorship and herself as the owner of BUSCH'S COUNTRY CORNER. As part of this request, AMANDA BUSCH provided Omega Processing Solutions, LLC with a photocopy of BUSCH'S COUNTRY CORNER's FNS vendor authorization license with authorization number 2621371. AMANDA BUSCH further designated the BUSCH'S COUNTRY CORNER business bank, MainSource Bank Account Number **9510 (Defendant 3), as a repository for all future BUSCH'S COUNTRY CORNER SNAP EBT redemptions.

29. Evidence gathered by the subject investigation has revealed that beginning in January 2010, and continuing at least until May 10, 2018, MICHAEL BUSCH, AMANDA BUSCH, and RANDALL BUSCH, in their respective capacities as BUSCH'S COUNTRY CORNER's officers/owners, manager(s), employee(s), and/or agents/representatives, have engaged in a continuing pattern, practice, and conspiracy to illegally and fraudulently acquire and redeem SNAP EBT benefits in exchange for ineligible items, specifically United States currency.

30. Official USDA records confirm that between October 2010, and March 2018, BUSCH'S COUNTRY CORNER employees completed in excess of one hundred ninety-five thousand, one hundred thirteen (195,113) individual SNAP EBT transactions, representing a total SNAP redemption value of approximately \$5,413,629.16. This amount has been deposited, via interstate wire transfers, into specific bank accounts personally controlled by both MICHAEL BUSCH and AMANDA BUSCH.

31. Specifically, from October 2010, through March 2018, approximately \$5,413,629.16 in SNAP EBT redemption payments have been deposited, via interstate wire

transfers, into MainSource Bank Account Number xx9510 held in the name of BUSCH'S COUNTRY CORNER, INC or Cheryl Busch or AMANDA BUSCH with signers on the account to include MICHAEL BUSCH, AMANDA BUSCH, and Cheryl Busch.

32. The investigation further revealed that beginning in October 2010, and continuing through March 2018, BUSCH'S COUNTRY CORNER conducted a monthly average of approximately 2,167 individual SNAP EBT transactions. Investigators have conducted a representative comparison analysis of these BUSCH'S COUNTRY CORNER SNAP EBT transactions with those completed by other similarly situated meat/poultry specialty businesses. This analysis attempted to compare corresponding companies that maintained similar geographic sales areas to that of BUSCH'S COUNTRY CORNER. The comparison additionally attempted to focus on like time frames and businesses with similar product lines as BUSCH'S COUNTRY CORNER. This analytical methodology has been used by USDA-OIG in similar SNAP fraud investigations dating back approximately 20 years. The analysis performed in the subject case revealed that six similarly situated and comparable meat/poultry specialty business averaged only 868 SNAP EBT transactions a month. Said comparable businesses also only averaged \$21,807 in monthly SNAP EBT redemptions. During the same time frame, BUSCH'S COUNTRY CORNER averaged \$60,151 in monthly SNAP EBT redemptions.

**UNDERCOVER ACTIVITY / ILLEGAL TRANSFER
AND REDEMPTION OF SNAP EBT BENEFITS**

33. The investigation's prior suspicions of BUSCH'S COUNTRY CORNER's illegal trafficking of SNAP EBT benefits have been confirmed through the use of consensual monitoring techniques in eight separate "hand-to-hand" transactions involving confidential informants ("CIs") and/or undercover law enforcement officers. The participating CIs each previously had been thoroughly vetted by law enforcement authorities, ensuring their reliability

and trustworthiness. Each of said eight transactions involved the use of illicit SNAP EBT practices, including the sale/exchange of ineligible items, specifically United States currency, in exchange for EBT benefits. All eight undercover transactions occurred between May 2017, and March 2018. Each transaction was monitored by SDOHTF members, including several by your Declarant.

34. On May 25, 2017, a reliable and trustworthy CI made contact with RANDALL BUSCH at BUSCH'S COUNTRY CORNER, 1801 West Elder Street, Stand #1, Cincinnati, Ohio 45201. After brief conversation, the CI provided RANDALL BUSCH one (1) Ohio Direction (EBT) card # 5446 and completed illegal transactions in the amount of \$1,015.00 EBT benefits in exchange for \$515.00 United States currency and no product. These illegal transactions occurred at the BUSCH'S COUNTRY CORNER business location and were facilitated through the business point of sale (POS) device by RANDALL BUSCH.

35. On June 1, 2017, a reliable and trustworthy CI made contact with RANDALL BUSCH at BUSCH'S COUNTRY CORNER, 1801 West Elder Street, Stand #1, Cincinnati, Ohio 45201. After brief conversation, the CI provided RANDALL BUSCH two (2) Ohio Direction (EBT) cards, # 5676 and # 1881, and completed illegal transactions in the amount of \$379.38 EBT benefits in exchange for \$187.00 United States currency and a minimal amount of meat product. These illegal transactions occurred at the BUSCH'S COUNTRY CORNER business location and were facilitated through the business POS device by RANDALL BUSCH.

36. On June 16, 2017, a reliable and trustworthy CI made contact with RANDALL BUSCH at BUSCH'S COUNTRY CORNER, 1801 West Elder Street, Stand #1, Cincinnati, Ohio 45201. After brief conversation, the CI provided RANDALL BUSCH two (2) Ohio Direction (EBT) cards, # 5446 and # 9441, and completed illegal transactions in the amount of

\$1,355.00 EBT benefits in exchange for \$685.00 United States currency and a minimal amount of meat product. MICHAEL BUSCH provided an undetermined amount of United States currency to complete these transactions with the CI. These illegal transactions occurred at the BUSCH'S COUNTRY CORNER business location and were facilitated through the business POS device by RANDALL BUSCH.

37. On June 27, 2017, a reliable and trustworthy CI made contact with RANDALL BUSCH at BUSCH'S COUNTRY CORNER, 1801 West Elder Street, Stand #1, Cincinnati, Ohio 45201. After brief conversation, the CI provided RANDALL BUSCH two (2) Ohio Direction (EBT) cards, # 5446 and # 9441, and completed illegal transactions in the amount of \$652.60 EBT benefits in exchange for \$315.00 United States currency and a minimal amount of meat product. These illegal transactions occurred at the BUSCH'S COUNTRY CORNER business location and were facilitated through the business POS device by RANDALL BUSCH.

38. On July 27, 2017, a reliable and trustworthy CI made contact with RANDALL BUSCH at BUSCH'S COUNTRY CORNER, 1801 West Elder Street, Stand #1, Cincinnati, Ohio 45201. After brief conversation, the CI provided RANDALL BUSCH one (1) Ohio Direction (EBT) card # 5446 and completed illegal transactions in the amount \$595.00 EBT benefits in exchange for \$270.00 United States currency and a minimal amount of meat product. These illegal transactions occurred at the BUSCH'S COUNTRY CORNER business location and were facilitated through the business POS device by RANDALL BUSCH.

39. On September 7, 2017, a reliable and trustworthy CI made contact with RANDALL BUSCH at BUSCH'S COUNTRY CORNER, 1801 West Elder Street, Stand #1, Cincinnati, Ohio 45201. After brief conversation, the CI provided RANDALL BUSCH two (2) Ohio Direction (EBT) cards, # 5446 and # 9441, and completed illegal transactions in the

amount of \$653.65 EBT benefits in exchange for \$325.00 United States currency and a minimal amount of meat product. During this contact, RANDALL BUSCH was observed having a conversation with MICHAEL BUSCH regarding the specifics of this transaction prior to providing the aforementioned cash payment to the CI. These illegal transactions occurred at the BUSCH'S COUNTRY CORNER business location and were facilitated through the business POS device by RANDALL BUSCH.

40. On December 12, 2017, a reliable and trustworthy CI made contact with RANDALL BUSCH at BUSCH'S COUNTRY CORNER, 1801 West Elder Street, Stand #1, Cincinnati, Ohio 45201. After brief conversation, the CI provided RANDALL BUSCH two (2) Ohio Direction (EBT) cards, # 5446 and # 9441, and completed illegal transactions in the amount of \$1,049.00 EBT benefits in exchange for \$860.00 United States currency and a minimal amount of meat product. During this contact, RANDALL BUSCH advised the CI that he needed to speak with his brother to determine if they had enough money to pay for all the benefits offered. RANDALL BUSCH was subsequently observed having a conversation with MICHAEL BUSCH regarding the specifics of this transaction prior to providing the aforementioned cash payment to the CI. These illegal transactions occurred at the BUSCH'S COUNTRY CORNER business location and were facilitated through the business POS device by RANDALL BUSCH.

**COMPARISON OF BUSCH'S COUNTRY CORNER
REDEMPTIONS TO SIMILAR BUSINESSES**

41. A comparative analysis of BUSCH'S COUNTRY CORNER's total SNAP EBT sales records since October 2010 was completed. This analysis compared and contrasted BUSCH'S COUNTRY CORNER's sales records and practices with six similarly situated, meat/poultry specialty companies, operating in the same geographical area as BUSCH'S

COUNTRY CORNER, during a corresponding time frame.

42. The following spreadsheet sets forth the results of said comparative analysis:

(Criteria: Date Range: 10/2010 - 03/2018; Compare with FNS Number(s): 4401255, 4397401, 0432578, 1082574, 7198221, 4170628 Calculate: Cumulative)

| Average Transaction Count & Amount Comparison for FNS Number: 2621371 – Busch's Country Corner | | | | | | | | | | |
|---|------------------------------|-------------------|--------------|-----------------|--------------------------------|-----------------------------|---------------------------------|-------------------------|----------------------------------|--------------------------|
| FNS Number | Store Name | Store Type | State | Counties | Total Txn Dollar Volume | Dollar Volume % Diff | Total Purchase Txn Count | Txn Count % Diff | Average Txn Dollar Amount | Avg Txn \$ % Diff |
| 2621371 | Busch's Country Corner | ME | OH | HAMILTON | \$5,413,629.16 | 0.00% | 195,113 | 0.00% | \$27.75 | 0.00% |
| 4401255 | Michael Luken's Poultry | ME | OH | HAMILTON | \$1,621,080.92 | 233.95% | 80,006 | 143.87% | \$20.26 | 36.97% |
| 4397401 | Heist Seafood & Poultry, LLC | ME | OH | HAMILTON | \$1,270,982.45 | 325.94% | 53,268 | 266.29% | \$23.86 | 16.30% |
| 0432578 | Bender Meats | ME | OH | HAMILTON | \$533,608.97 | 914.53% | 46,845 | 316.51% | \$11.39 | 143.63% |
| 1082574 | Chas S Bare & Sons | ME | OH | HAMILTON | \$3,374,530.19 | 60.43% | 124,010 | 57.34% | \$27.21 | 1.98% |
| 7198221 | J E Gibbs | ME | OH | HAMILTON | \$974,506.74 | 455.53% | 82,358 | 136.91% | \$11.83 | 134.57% |
| 4170628 | Mackie Quality Meats | ME | OH | HAMILTON | \$4,001,579.26 | 35.29% | 159,931 | 22.00% | \$25.02 | 10.91% |

43. The above chart depicts the following:

- BUSCH'S COUNTRY CORNER's average total monthly SNAP EBT redemptions since October 2010 is approximately \$60,151.00;
- The comparable companies' corresponding average total monthly SNAP EBT redemptions is only \$21,807.00;
- BUSCH'S COUNTRY CORNER's average total monthly number of SNAP EBT transactions (since becoming SNAP authorized) is 2,167;
- The comparable companies' corresponding average total monthly number of SNAP EBT transactions is only 868;
- As a result, it appears that BUSCH'S COUNTRY CORNER redeemed on average \$38,344.00 a month more in SNAP EBT transactions than that of the comparable meat/poultry specialty store;

- As a result, it is estimated that approximately 63.75% of all BUSCH'S COUNTRY CORNER SNAP EBT proceeds were fraudulent; and
- During the 90-month period between October 2010 through March 2018, it further appears that BUSCH'S COUNTRY CORNER may have received approximately \$3,450,960.00 (90 x \$38,344.00) in fraudulent SNAP EBT reimbursements.

TRANSACTIONS WITH THE ILLEGALLY OBTAINED EBT FUNDS

44. Records show that the illegally obtained EBT funds are directly deposited into the MainSource Bank, Division of First Financial Bank, Account Number xx9510 in the name of BUSCH'S COUNTRY CORNER INC or Cheryl Busch or AMANDA BUSCH (Defendant 3). From this main business account, the illegal proceeds are transferred into personal bank accounts of MICHAEL BUSH and/or AMANDA BUSH, and the proceeds are then used to purchase various assets.

45. Illegal use or redemption of SNAP benefits in violation of 7 U.S.C. § 2024 and wire fraud in violation of 18 U.S.C. § 1343 are specified unlawful activities ("SUAs") as defined in 18 U.S.C. § 1956(c)(7).

46. The wire transfers into the MainSource Bank Account Number xx9510 represent transfers of fraudulent EBT redemptions. The transfers out of MainSource Bank Account Number xx9510 into MainSource personal accounts represent transfers of SUA proceeds.

MainSource Bank, Account Number xx9510 – Defendant 3

47. MainSource Bank Account Number xx9510 in the name of BUSCH'S COUNTRY CORNER INC or Cheryl Busch or AMANDA BUSCH had a balance on May 10, 2018, of \$52,555.84. MICHAEL BUSCH, Cheryl Busch, and AMANDA BUSCH are listed as the only signers for this account.

48. MainSource Bank Account Number xx9510 was opened on or about January 2,

1997. It is a business checking account and the sole EBT account. Deposits of EBT funds began in this account in October 2010.

49. From October 2010, through March 2018, approximately \$5,413,629.16 in SNAP EBT payments have been deposited via wire into MainSource Bank Account Number xx9510.

50. As stated above, BUSCH'S COUNTRY CORNER may have received approximately \$3,450,960.00 (90 x \$38,344.00) in fraudulent SNAP EBT reimbursements, which were deposited into MainSource Bank Account Number xx9510.

51. MainSource Bank Account Number xx9510 funds were used to purchase a 2013 GMC Denali, which is further described below. In addition, funds were transferred from MainSource Bank Account Number xx9510 to MainSource Bank Account Number xx9405.

52. From October 2014, through March 2018, there was a total of \$2,175,686.75 in SNAP/EBT deposits wired directly into MainSource Bank Account Number xx9510. Based on the previously mentioned comparative fraud analysis, it can be stated that during this time frame, fraudulent EBT transactions account for approximately \$1,387,000.30 in fraud proceeds.

MainSource Bank Account Number xx9405 – Defendant 5

53. MainSource Bank Account Number xx9405 is a personal checking account in the name of AMANDA BUSCH or MIKE BUSCH. This account had a balance on May 10, 2018, of \$1,561.24. The average balance over the course of a year was about \$4,000.00.

54. From November 2014, through March 2018, this account received \$127,030.00 in cash deposits, \$95,860.17 in paychecks written from MainSource Bank Account Number xx9510, and \$37,500 in funds transferred from other MainSource Bank accounts under MICHAEL BUSCH's and/or AMANDA BUSCH's control.

55. Funds from this account were used to purchase a 2016 Dodge Charger, 2012

Nissan Murano, 2014 Mazda 3, and 2015 KTM 85 Moto Cross motorcycle, which are further referenced below.

56. A total of approximately \$124,000.00 in cash was deposited into MainSource Bank personal accounts, held by MICHAEL BUSCH and AMANDA BUSCH.

MainSource Bank Account Number xxx7566 – Defendant 4

57. MainSource Bank Account Number xxx7566 was opened on or about May 13, 2014, with a \$40,000.00 transfer from MainSource Bank Account Number xx9405 (Defendant 5), AMANDA BUSCH's and MICHAEL BUSCH's checking account. It is a personal savings account in the name of AMANDA BUSCH. MainSource Bank Account Number xxx7566 had a balance on May 10, 2018, of \$23,020.03. The average balance over the course of a year was \$40,000.00.

58. A review of tax records verified that none of the funds deposited into the above MainSource Bank accounts represent income earned outside of BUSCH'S COUNTRY CORNER.

59. Funds were later transferred from this account back to MainSource Bank Account Number xx9405 and used to purchase a 2014 Mazda 3 and a 2016 Dodge Charger, which are further referenced below.

Funds in Bank Accounts Are Fungible

60. I am advised that 18 U.S.C. § 984(a) is a fungible asset provision and provides that it is not necessary, in a civil forfeiture action in which the subject property is funds deposited in an account in a financial institution, for the Government to identify the specific property involved in the offense that is the basis of forfeiture and that it is not a defense that the property involved in such an offense has been removed and replaced by identical property. In addition,

any identical property found in the same account as the property involved in the offense that is the basis for the forfeiture is subject to forfeiture as long as the forfeiture is commenced no more than one year from the date of the offense.

61. Here, BUSCH'S COUNTRY CORNER may have received approximately \$460,128.00 in the past year (12 x \$38,344.00) in fraudulent SNAP EBT reimbursements, which were deposited into MainSource Bank Account Number xx9510.

2016 Dodge Charger – Defendant 6

62. According to Indiana BMV, a 2016 Dodge Charger, bearing Indiana license plate "FD9799," registered and titled to AMANDA BUSCH, was purchased on January 8, 2018.

63. The 2016 Dodge Charger shows no liens, and the NADA average trade-in value is \$19,000.00.

64. Bank records have revealed that AMANDA BUSCH purchased the Dodge Charger with check # 4388 in the amount of \$19,869.16, drawn on MainSource Bank Account Number xx9405, which was AMANDA BUSCH's and MICHAEL BUSCH's checking account.

65. While purchasing the Dodge Charger, MICHAEL BUSCH and/or AMANDA BUSCH engaged in a monetary transaction in criminally derived property of a value greater than \$10,000.

66. The Dodge Charger is driven by MICHAEL BUSCH's and AMANDA BUSCH's son as a personal vehicle for non-business usage.

2012 Nissan Murano – Defendant 10

67. According to Indiana BMV, a 2012 Nissan Murano, bearing Indiana license plate "HK3474," registered and titled to AMANDA BUSCH, was purchased on April 10, 2017.

68. The 2012 NISSAN MURANO shows no liens, and the NADA average trade-in

value is \$15,000.00.

69. Bank records have revealed that AMANDA BUSCH purchased the NISSAN MURANO with check # 4169 in the amount of \$18,679.01, drawn on MainSource Bank Account Number xx9405, which was AMANDA BUSCH's and MICHAEL BUSCH's checking account.

70. While purchasing the Nissan Murano, MICHAEL BUSCH and/or AMANDA BUSCH engaged in a monetary transaction in criminally derived property of a value greater than \$10,000.

71. The Nissan Murano is driven by AMANDA BUSCH in the performance of her duties as co-owner of BUSCH'S COUNTRY CORNER and as a personal vehicle for non-business usage.

2014 Mazda 3 – Defendant 8

72. According to Indiana BMV, a 2014 Mazda 3, bearing Indiana license plate "ADW192," was purchased on October 3, 2017, by AMANDA BUSCH.

73. The 2014 Mazda 3 shows no liens, and the NADA average trade-in value is \$12,000.00.

74. Bank records have revealed that AMANDA BUSCH purchased the Mazda 3 with check # 4348 in the amount of \$13,738.00, drawn on MainSource Bank Account Number xx9405, which was AMANDA BUSCH's and MICHAEL BUSCH's checking account. The vehicle is registered and titled to Christina Busch.

75. While purchasing the Mazda 3, MICHAEL BUSCH and/or AMANDA BUSCH engaged in a monetary transaction in criminally derived property of a value greater than \$10,000.

76. The Mazda 3 is driven by AMANDA BUSCH's and MICHAEL BUSCH's

daughter, Christina Busch, in the performance of her duties as an employee of BUSCH'S COUNTRY CORNER and as a personal vehicle for non-business usage.

2015 KTM 85 Moto Cross – Defendant 7

77. According to Indiana BMV, a 2015 KTM 85 Moto Cross, no Indiana license plate (not registered for road use), was purchased on May 11, 2016.

78. The 2015 KTM 85 Moto Cross shows no liens, and the NADA average trade-in value is \$5,000.00.

79. Bank records have revealed that MICHAEL BUSCH purchased the KTM 85 Moto Cross with check # 4047 in the amount of \$5,811.54, drawn on MainSource Bank Account Number xx9405, which was AMANDA BUSCH's and MICHAEL BUSCH's checking account.

80. The KTM 85 Moto Cross is used by AMANDA BUSCH's and MICHAEL BUSCH's family for personal/non-business usage.

2013 GMC Denali – Defendant 9

81. According to Ohio BMV, a 2013 GMC Denali, bearing Ohio license plate "PID7138," registered and titled to BUSCH'S COUNTRY CORNER, was titled on May 28, 2013.

82. The GMC Denali was purchased on April 29, 2013, for \$59,750.00 with a trade-in valued at \$13,641.01 and a loan for the remainder.

83. The GMC Denali shows a loan maturity date of May 1, 2018, with US Bank. The NADA average trade-in value is 28,000.00.

84. Bank records have revealed that MICHAEL BUSCH and/or AMANDA BUSCH made monthly payments for the GMC Denali with checks drawn on MainSource Bank Account Number xx9510, which was BUSCH'S COUNTRY CORNER's main SNAP/EBT deposit

account, with the intent to promote the carrying on of wire fraud and SNAP fraud.

85. The GMC DENALI is driven by MICHAEL BUSCH in the performance of his duties as co-owner of BUSCH'S COUNTRY CORNER and as a personal vehicle for non-business usage.

EXECUTION OF SEARCH WARRANTS

\$191,135.00 in United States Currency – Defendant 1

86. On May 10, 2018, the USSS executed a federal search and seizure warrant at the residence of MICHAEL BUSCH and AMANDA BUSCH in Sunman, Indiana. During the search, agents found \$191,135.00 in United States currency at various locations in the residence, of which \$182,971.00 was located in a gun safe.

87. Based on my training and experience, I know that those who are engaged in illegal activity sometimes attempt to conceal their proceeds by keeping a large sum of money at a residence and avoiding the paper trail created by banks.

\$811.00 in United States Currency – Defendant 2

88. On May 10, 2018, the USSS executed a federal search and seizure warrant at BUSCH'S COUNTRY CORNER. During the search, agents seized \$811.00 in United States currency from the cash register and a metal box at a business that was permeated with fraud.

INDICTMENT

89. On August 14, 2018, a federal grand jury in the Southern District of Ohio returned a Superseding Indictment (Case No. 3:18-CR-079, Doc. 30) against defendants MICHAEL D. BUSCH, RANDALL S. BUSCH, and BUSCH'S COUNTRY CORNER, INC., charging all defendants in Count 1 with money laundering conspiracy in violation of 18 U.S.C. § 1956(h); charging all defendants in Count 2 with conspiracy to commit SNAP fraud, theft of government

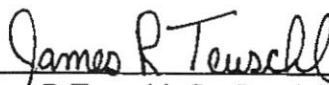
property, and submitting false claims to the United States in violation of 18 U.S.C. § 371 and wire fraud conspiracy in violation of 18 U.S.C. § 1349; charging MICHAEL D. BUSCH and/or RANDALL S. BUSCH with SNAP fraud in Counts 3 through 22; and charging MICHAEL D. BUSCH and/or RANDALL S. BUSCH in Counts 23 through 42 with wire fraud.

CONCLUSION

90. Based on my knowledge and experience, the knowledge of other investigators with whom I have conferred, and the facts set forth in this declaration, I submit that there is probable cause to believe that AMANDA BUSCH, MICHAEL BUSCH, RANDALL BUSCH, and BUSCH'S COUNTRY CORNER INC have committed wire fraud, SNAP fraud, money laundering, and/or conspiracy to commit such offenses, and as a result, the subject property, as further described in paragraph 4, is subject to forfeiture to the United States as set forth in paragraph 5.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 6th day of November, 2018.



James R Teuschl, Sr. Special Agent
United States Secret Service